

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

JOLLENTA PLUMMER, individually and on
behalf of all others similarly situated,

Plaintiffs,

V.

TMC RESTAURANT OF CHARLOTTE
LLC dba MEN'S CLUB OF CHARLOTTE,
a North Carolina Limited Liability Company,
LLOYD J ACE III, an individual, ABDUR
RASCHID CHAWDHARY, an individual,
DOE MANAGERS 1 through 3 and DOES 4
through 10 inclusive,

Defendants.

Case No.: 3:21-cv-00648-FDW-DSC

COLLECTIVE ACTION

**ORDER GRANTING JOINT
MOTION TO STAY CLAIMS OF
PLAINTIFF KIRSTEN CAVANAUGH
PENDING ARBITRATION**

The Court has reviewed Plaintiff Kirsten Cavanaugh and Defendants TMC Restaurant of Charlotte LLC dba Men’s Club of Charlotte, Lloyd J. Ace III, and Abdur Raschid Chawdhary (collectively, “Defendants”) Joint Motion to Stay Claims of Plaintiff Kristen Cavanaugh Pending Arbitration. After review and consideration of the above, the Court **ORDERS** that:

1. Plaintiff Kirsten Cavanaugh's claims shall be submitted to binding arbitration pursuant to the arbitration agreement;

2. Defendants have agreed to waive the contractual provision that Plaintiff be responsible for a portion of the fees and costs charged by the arbitrator.

3. Plaintiff Kirsten Cavanaugh's claims in this action are to be stayed pending completion of the above-referenced arbitration proceedings;

4. Plaintiff reserves the right to challenge the arbitration agreement with the arbitrator, including clauses she believes conflict with settled law.

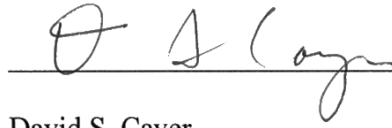
5. The Court shall retain jurisdiction to enforce any settlement, enter the arbitrator's

award as a judgment pursuant to 9 U.S.C. § 9, or to resolve a petition for the appointment of an arbitrator pursuant to 9 U.S.C. § 5.

6. The parties shall file a status report ninety days from the date of this Order and every ninety days thereafter.

SO ORDERED.

Signed: July 5, 2022



David S. Cayer
United States Magistrate Judge

